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Attorneys for Defendant/Counter-Plaintiff,  
**KEATING DENTAL ARTS, INC.**

IN THE UNITED STATES DISTRICT COURT  
FOR THE CENTRAL DISTRICT OF CALIFORNIA  
SOUTHERN DIVISION

13 JAMES R. GLIDEWELL DENTAL  
14 CERAMICS, INC. dba GLIDEWELL  
15 LABORATORIES,  
16 Plaintiff,  
17 v.  
18 KEATING DENTAL ARTS, INC.  
19 Defendant.  
20 AND RELATED COUNTERCLAIMS.  
21

} Civil Action No.  
SACV11-01309-DOC(ANx)

} KEATING DENTAL ARTS,  
INC.'S NOTICE OF MOTION  
AND MOTION FOR  
SUMMARY JUDGMENT  
CANCELLING GLIDEWELL'S  
TRADEMARK  
REGISTRATION

} HEARING:  
Date: December 17, 2012  
Time: 8:30 a.m.  
Crtrm: 9D

} Honorable David O. Carter

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1 PLEASE TAKE NOTICE that Defendant Keating Dental Arts, Inc.  
2 ("Keating") hereby moves this Court for summary judgment canceling Plaintiff  
3 James R. Glidewell Dental Ceramics, Inc. dba Glidewell Laboratories'  
4 ("Glidewell") Trademark Registration. Subject to the Court's availability, the  
5 motion will be heard on December 17, 2012, at 8:30 a.m., in Courtroom 9D,  
6 before the Honorable David O. Carter. This motion is made pursuant to Fed. R.  
7 Civ. P. 56 and to this Court's May 1, 2012 Order (Docket No. 52) on the  
8 grounds that there are no genuine issues as to any material fact and that Keating  
9 is therefore entitled to judgment as a matter of law.

10 This motion is made following the conference of counsel pursuant to L.R.  
11 7-3 which took place on November 8, 2012. David G. Jankowski participated in  
12 the meet-and-confer on behalf of Keating. Philip Graves and Greer Shaw  
13 participated in the meet-and-confer on behalf of Glidewell. The parties could  
14 not reach agreement on the issues that form the bases for this motion.

15 Keating bases the motion on this notice; the concurrently filed opening  
16 brief; the separate statement of uncontroverted facts and conclusions of law; the  
17 declarations of David G. Jankowski, Rustin Mangum, Jeffrey Van Hoosear, Lori  
18 Boatright, Dr. David Eggleston, Shaun Keating, Carol Frattura, Dr. William  
19 Belton, Dr. Raymond Brady, Dr. Jonathan Campbell, Dr. Michael Colleran, Dr.  
20 Joseph Jacquinot, Dr. Dennis Murphy, Dr. Terry L. Myers, Dr. Thomas  
21 Nussear, Dr. Stan Richardson, Dr. Richard Scott, Dr. Scott Stephens, Dr. Daniel  
22 Sweet, and Dr. Gary Tobin, including all exhibits attached thereto; the request  
23 for judicial notice; any subsequently filed briefs; the pleadings and papers filed  
24 in this action; and any other arguments, evidence, and matters submitted to the  
25 Court, at the hearing or otherwise.

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A proposed order is also being lodged with this motion for the Court's consideration.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: November 19, 2012 By: /s/ David G. Jankowski

Lynda J. Zadra-Symes

Jeffrey L. Van Hoosear

David G. Jankowski

Attorneys for Plaintiff,  
KEATING DENTAL ARTS, INC.

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